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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,393	06/28/2001	Rintaro Nakatani	S004-4303	6004

7590 06/14/2004
ADAMS & WILKS
50 Broadway, 31st Floor
New York, NY 10004

EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,393

Applicant(s)

NAKATANI, RINTARO

Examiner

The Thanh Ho

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/15/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the application filed 6/28/2001.
2. Claims 6-25 have been examined and are pending in the application.

Specification

3. The disclosure is objected to because of the following informalities: the abstract should be limited to a single paragraph on a separate sheet within the range of 50 to 150 words. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following terms lack antecedent basis:

(i) "the analyzer software" (lines 9 and 12 claim 6; line 6 claim 9; line 3 claim 10; lines 3 and 6 claim 12; line 6 claim 14; lines 3 and 6 claim 15; line 6 claim 17). For the purpose of art rejection, it is interpreted as "the analyzer software program" as best understood and as it appears to be. Corrections are required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sontag U.S Patent No. 6,407,756.

As to claim 6, Sontag teaches an analyzer system (the system of Fig. 1a) which is either built-in to or separate from and connectable (integrated with the logic analyzer, and may additionally be made available on a remote terminal that communicates with the logic analyzer, lines 22-25 column 1) to an analyzer (a logic analyzer used to detect, analyze, and display digital voltage signals, lines 11-13 column 1), comprising:

analyzer software program (software program that provided the graphical user interface used to control the logic analyzer, lines 48-52 column 5) for controlling the analyzer to perform analysis procedures (operative to receive and interpret logic analyzer signals to display logic analyzer information for a user, and to receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5);

job information comprising data for adapting the analyzer software to control the analyzer to perform the specific analysis procedures (data contained within tabs 20, 40,

60, and 80 of graphical user interface that the user needs to configure in order for the logic analyzer to perform analysis procedures, lines 58-67 column 1);

a job comprising data for linking the job information to the analyzer software for a given analysis procedure (receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 51-52 column 5);

job launching means for launching the analyzer software to perform an analysis procedure (instruct the logic analyzer to store data measurements collected either leading up to the trigger event, after the trigger event, or evenly distributed before and after the trigger event, line 67 column 8 to line 3 column 9);

job representing means for representing a job on a display (displays of Fig. 1a to 1e to receive user inputs; display screen 104, Fig. 3).

Sontag does not explicitly teach analyzing results output by the analyzer. However, Sontag teaches the logic analyzer in the invention is an electronic instrument used to detect, analyze, and display digital voltage signals (lines 11-13 column 1) in which the graphical user interface is operative to receive and interpret logic analyzer signals to display logic analyzer information for a user (lines 48-50 column 5).

Therefore one of ordinary skill in the art would conclude that the user would use the results outputted by the analyzer to analyze the system; therefore improving the system performance.

As to claim 7, Sontag as modified further teaches a computer (computer 101, Fig. 3) for executing the analyzer software program.

As to claim 8, Sontag as modified further teaches the analyzer software program contain a customizable user interface that is customized by the job information to display information relating to the specific analysis procedures (logic analyzer user interface comprises Config tab 20 allows the user to set up the measurement configuration of a machine, Format tab 40 allows the user to setup the format in which to display the captured measurements, Trigger tab 60 allows the user to set up the point on which data is captured, and Symbol tab 80 which allows the user to map alphanumeric symbols to raw data, lines 58-67 column 1).

As to claim 9, Sontag as modified further teaches customizing the user interface by setting a type of information to be displayed to the user (setup the format in which to display the captured measurements, lines 63-63 column 1), a level of detail of information to be displayed to the user (set up the point on which data is captured, lines 64-65 column 1), and a number of prompts for requesting the user to input information (pop-up menu that allows the user to click on the individual bits to define which bits to monitor, lines 57-59 column 2), and setting how the analyzer software will analyze the information input by the user (set up the measurement configuration of a machine, lines 61-62 column 1).

As to claim 10, it is a system claim of claims 8-9. Therefore, it is rejected for the same reasons as claims 8-9 above.

As to claim 11, Sontag as modified further teaches the customized user interface comprises a specific arrangement of menus and dialog boxes (menus, dialog boxes and pop-up menus of Fig. 1a to 1e) for displaying information to a user and

prompting the user to input information to the analyzer (display logic analyzer information for a user, and to receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5).

As to claim 12, it is a system claim of claims 8-9. Therefore, it is rejected for the same reasons as claims 8-9 above. Sontag as modified further teaches function call information containing parameters used by the analyzer software to perform function call sequencing and function execution in order to automate or semi-automate analyzer software operations (configuration functions are selected in accordance with level of measurement complexity, lines 18-19 column 1).

As to claim 13, it is a system claim of claim 11. Therefore, it is rejected for the same reasons as claim 11 above.

As to claim 14, it is a system claim of claim 9. Therefore, it is rejected for the same reasons as claim 9 above.

As to claim 15, it is a system claim of claim 12. Therefore, it is rejected for the same reasons as claim 12 above. Sontag as modified further teaches output format information for describing an output format of analyzer software analysis results (format 40, Fig. 1b; format in which to display the captured measurements, lines 63-63 column 1).

As to claim 16, it is a system claim of claim 11. Therefore, it is rejected for the same reasons as claim 11 above.

As to claim 17, it is a system claim of claim 9. Therefore, it is rejected for the same reasons as claim 9 above.

As to claim 18, Sontag as modified further teaches the analyzer system is separate from the analyzer (the graphical user interface is operable at the remote computer as well to allow remote control of the logic analyzer, lines 14-16 column 8); and a communication line (network connection, lines 13-14 column 8) for connecting the analyzer system to the analyzer.

As to claim 19, it is a system claim of claim 18. Therefore, it is rejected for the same reasons as claim 18 above.

As to claim 20, Sontag as modified further teaches the analyzer software programs control the analyzer to perform measurements (receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5).

As to claim 21, Sontag as modified further teaches information for setting the analyzer software programs to be able to handle different instructions (different inputs from the user to each of the tags 20, 40, 60 and 80, Figs. 1a to 1e).

As to claim 22, Sontag as modified further teaches a directory containing the job information for analysis procedures (Config tab 20, Format tab 40, Trigger tab 60, and Symbol tab 80, lines 58-67 column 1).

As to claim 23, it is a system claim of claims 6 and 9. Therefore, it is rejected for the same reasons as claims 6 and 9 above.

As to claim 24, it is a system claim of claim 7. Therefore, it is rejected for the same reasons as claim 7 above.

As to claim 25, it is a system claim of claim 18. Therefore, it is rejected for the same reasons as claim 18 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICAL faxes must be signed and sent to (703) 872 - 9306.
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 3493


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TTH

June 4, 2004


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